

**4397. Misbranding of "H G C." U. S. \* \* \* v. The Acme Chemical Mfg. Co., (Ltd.) Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6155. I. S. No. 6134-e.)**

On August 4, 1915, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Acme Chemical Mfg. Co. (Ltd.), a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on December 28, 1912, from the State of Louisiana into the State of Texas, of a quantity of "H G C" which was misbranded. The article was labeled: (On bottle) "H G C A reliable and non poisonous injection for the relief of Gonorrhœa & Gleet Take No Substitutes Made only by the Acme Chemical Mfg. Co. Ltd. N. O. La. For male and female use read directions around bottle. H. G. C. does not cause pain or injury." (Blown in bottle) "Acme Chemical Manufacturing Co. Limited Sole Manufacturers New Orleans U. S. A. La." (On carton) "H G C A Safe Reliable and non poisonous Remedy for Gonorrhœa and Gleet in either sex Manufactured only by the Acme Chemical Mfg. Co. (Limited) New Orleans, La. Trade Mark H. G. C. Registered. Price \$1. Including Acme Syringe For male and female Carton adopted April 1st, 1897. Superseding wrapper June, 1890. Revised May 1st, 1907. Directions Inside. Read Carefully. Keep from Freezing Guaranteed by the Acme Chemical Mfg. Co. Ltd., under the Food and Drugs Act, June 30, 1906. Serial Number 1410. Non injurious injection for Gonorrhœa and Gleet." (On envelope within the package) "Sulph-Magnesia. U. S. P. Directions. Keep the bowels open and regular. If constipated, take half or all of the contents of this package, dissolved in a glass of water before beginning the use of the H. G. C. Acme Chemical Mfg. Co., Lt'd. New Orleans, La." The circular or pamphlet accompanying the article contained, among other things, the following: "Esta medicina cura la Gonorrhea, Blenorragia, y Flores Blancas"; (translation) "This medicine cures gonorrhea, gleet, and leucorrhea."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (gram per 100 cc)-----	0.48
Borax (gram per 100 cc)-----	0.31
Berberine sulphate (gram per 100 cc)-----	0.16

Product is an aqueous solution of borax and berberine sulphate.

Misbranding of the article was alleged in the information in that the foregoing statement on the bottles contained in the cartons and on the cartons, regarding and concerning the therapeutic or curative effects of the article, that said article of drugs was a "Reliable \* \* \* Remedy for Gonorrhœa and Gleet," was false and fraudulent, and represented falsely and fraudulently to the purchaser of same that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective as a remedy for the cure of gonorrhea and gleet, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents. Misbranding was alleged for the further reason that the foregoing statements regarding the therapeutic or curative effects of the article, appearing and set out in said printed pamphlet or circular as aforesaid, were false and fraudulent, in that by means of said pamphlet or circular the article of drugs was falsely and fraudulently represented therein so as to deceive and mislead the purchaser into the belief that it was, in whole or in part, composed

of, or contained, ingredients, substances, or medicinal agents effective for the cure of gonorrhea, gleet, and leucorrhea, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients, substances, or medicinal agents.

On February 16, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*